

PROPOSED DEVELOPMENT CONDITIONS

PRC A-502-02

March 29, 2012

If it is the intent of the Board of Supervisors to approve PRC A-502-02, located at Tax Map 17-2 ((18)) 1 and 17-2 ((19)) 2A, then staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. Any plan submitted pursuant to this PRC Plan shall be in substantial conformance with the approved PRC Plan entitled "Fairway Apartments, Reston Section 1 Block 15 & Section 2A Block 15A", prepared by Urban Ltd., consisting of 29 sheets, and dated March 2009 as revised through March 2, 2012. Minor modifications to the approved PRC Plan may be permitted pursuant to Sect. 16-203 of the Zoning Ordinance.
2. A Landscaping Plan shall be submitted with the first and all subsequent site plan submissions for the review and approval of UFMD. This Plan shall be in substantial conformance with the landscaping shown on the PRC Plan.
3. A tree preservation plan shall be submitted as part of the first and all subsequent site plan submissions as follows.
 - A. Tree Preservation: A Tree Preservation Plan and Narrative shall be submitted as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES. The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 12 inches in diameter and greater, and located within 25 feet of the proposed limits of clearing within the undisturbed area and within 10 feet of the limits of clearing in the disturbed area shown on the Site Plan. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the Site Plan, and those additional areas in which trees can be preserved as a result of final engineering. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

- B. Tree Preservation Walk-Through. A certified arborist or registered consulting arborist shall be retained, and the limits of clearing and grading shall be marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant's Certified Arborist or Registered Consulting Arborist shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made, if any, to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.
- C. Limits of Clearing and Grading. The limits of clearing and grading shall be in substantial conformance with the limits of clearing and grading shown on the PRC Plan, subject to allowances specified in these development conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the PRC Plan, they shall be located in the least disruptive manner as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.
- D. Tree Preservation Fencing: All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" development condition below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist or registered consulting arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.

- E. Root Pruning. The roots shall be pruned, as needed to comply with the tree preservation requirements of these development conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the submitted plan. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:
- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
 - Root pruning shall take place prior to any clearing and grading, or demolition of structures.
 - Root pruning shall be conducted with the supervision of a certified arborist.
 - An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.
- F. Site Monitoring. During any clearing or tree/vegetation/structure removal on the Application Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as per specific development conditions and as approved by the UFMD. The Applicant shall retain the services of a Certified Arborist or Registered Consulting Arborist to monitor all construction and demolition work adjacent to any vegetation to be preserved and tree preservation efforts in order to ensure conformance with all tree preservation development conditions, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.

4. A private stormwater management maintenance agreement, as reviewed and approved by the Fairfax County Attorney's Office in consultation with DPWES, shall be executed, and recorded in the Land Records of the County. The private maintenance agreement shall be executed prior to site plan approval.
5. The applicant shall provide Low Impact Development (LID) techniques on site as shown on the PRC Plan, subject to review and approval by DPWES in accordance with Public Facilities Manual (PFM) requirements. If used, pervious pavement systems shall be restricted to parking spaces, walkways, and pedestrian plazas. Pervious pavement systems shall not be permitted within a storm drain easement.
6. The use and responsibility for maintenance of the pervious pavers shall be disclosed as part of chain of title to all future owners that are responsible for maintenance of the pervious pavers.
7. If pervious pavement systems are proposed with the Final Site Plan, then at least one different type of BMP device and one different type of SWM device shall be provided on the parcel where the pervious pavement systems are proposed so that the parcel does not rely exclusively on pervious pavement to meet BMP and detention requirements.
8. Prior to the issuance of a residential use permit (RUP) above 570 units, if not provided by others, the applicant shall conduct and submit to VDOT a warrant study to determine whether a traffic signal at the intersection of Temporary Road and North Shore Drive would be warranted upon completion of the proposed development. In the event a traffic signal at that location is deemed warranted and approved by VDOT, the Applicant shall escrow prorata funds with DPWES for the construction of the traffic signal by others prior to issuance of the 571st Residential Use Permit (RUP). If the traffic signal has been constructed by others, the escrow funds shall be used for other transportation improvements in the vicinity of the application property.
9. Twelve percent (12%) of the total number of multi-family dwelling units constructed on the Property shall be sold or rented as workforce dwelling units ("WDUs") administered pursuant to the "Board of Supervisors' Workforce Dwelling Unit Administrative Policy Guidelines" adopted October 15, 2007. Income tiers shall be such that one third (1/3) of the WDUs shall be made available for households with an income of not more than one hundred twenty percent (120%) of the Area Median Income (AMI), one third (1/3) of the WDUs shall be made available for households with an income of not more than one hundred percent (100%) of AMI, and one third (1/3) of the WDUs shall be made available for households with an income of not more than eighty percent (80%) of AMI, provided that not less than ten (10) WDUs in this income tier shall be made available for households with an income of not more than sixty percent (60%) of the AMI.

10. Affordable Dwelling Units (“ADUs”) shall be provided in accordance with the Zoning Ordinance. The ADUs required by the construction of the single-family attached dwelling units on the subject property shall be provided within the single-family attached dwelling units and may not be established in the multifamily buildings within the development.
11. Development of the project shall be phased such that land disturbing activity within East Fairway shall not proceed until the final Residential Use Permit (RUP) has been issued for the units proposed with the final development within the West Fairway section of the development. The final RUP shall be defined as the final RUP associated with the total number of units shown on the approved Site Plan(s) inclusive of units within Buildings A, B, C and the single-family attached dwellings within West Fairway. For purposes of this condition, the Site Plan(s) and Building Plans for East Fairway may be reviewed, approved and permitted through Fairfax County; however no pre-construction meeting and no land disturbing activity within East Fairway shall proceed until issuance of the final RUP within the West Fairway section of the development.
12. The Applicant shall incorporate public art into both the West Fairway and East Fairway sections of the development following consultation with the Initiative for Public Art – Reston (IPAR). The Applicant shall coordinate with IPAR to obtain its recommendations on the type and location of public art to be provided on site. The Applicant shall make the final selection of the public art features and their location based on recommendations from IPAR and shall incorporate such features into the development prior to issuance of the final RUP.
13. As shown on the PRC Plan, Building C in West Fairway shall be designed such that the fifth residential level is set back at least 30’ feet from the outside wall of the first four levels closest to the Clubhouse Court Cluster. The northern elevation of the P2 parking level shall be submerged by grading except for the vehicular entrance to the P2 level, and the P2 level parking garage entrance (including its approach) shall be completely screened from view from the Clubhouse Court Cluster by landscaping and a masonry screen wall high enough to screen headlights along the east to west length of the turning radius of the ramp leading into the P2 parking entrance. There shall be no balconies or sundecks on the side of Building C facing the Clubhouse Court Cluster. These changes are reflected on the revised PRC Plan which includes a section on the General Notes and Details page.

14. Irrespective of the lot typical for single-family attached units shown on the PRC Plan, no more than three abutting units in a row shall have the same front and rear setbacks with the minimum setback offset being one foot in accordance with the Zoning Ordinance.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.